IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 4931 of 2005

For Approval and Signature:

HON'BLE MR.JUSTICE A.M.KAPADIA

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1	Whether Reporters of Local Papers may be allowed to see the judgment ?
2	To be referred to the Reporter or not ?
3	Whether their Lordships wish to see the fair copy of the judgment ?
4	Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?
5	Whether it is to be circulated to the civil judge ?

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UDAY OXYGEN PVT. LTD. - Petitioner(s)

Versus

GUJARAT ELECTRICITY BOARD &2 - Respondent(s)

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Appearance :

MR. V.K.SAHA for MR BK DAMANI for Petitioner No(s).: 1.

MR SN SINHA for Respondent No(s).: 1.
RULE SERVED for Respondent No(s).: 2.

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CORAM :HON'BLE MR.JUSTICE A.M.KAPADIA

Date : 04/07/2005

ORAL JUDGMENT

Mr. V.K.Shah, learned advocate for Mr. B.K.Damani, learned advocate of the petitioner seeks leave to withdraw the petition reserving liberty to file the Special Civil Application seeking direction against the appellate authority of the Gujarat Electricity Board to decide the appeal filed by the petitioner expeditiously, in accordance with law, which according to him has not been decided so far.

2. Mr. S.N.Sinha, learned advocate of the respondent -GEB has no objection if leave as prayed for is granted and also reserving liberty as prayed for by the learned advocate of the petitioner.

3. Leave to withdraw the petition is granted. Petition stands disposed of as it is withdrawn, with no order as to costs. Rule is discharged.

4 It would be open for the petitioner to file Special Civil Application seeking direction against the appellate authority of the GEB for expeditiously disposal of the appeal filed by the petitioner in accordance with law, which is pending before the appellate authority.

(A.M.Kapadia,J)

Jayanti*